

RESOLUTION NO. 2018 – XXXX

Adopted by the Sacramento Metropolitan Air Quality Management District

RULE 419 – NO_x FROM MISCELLANEOUS COMBUSTION UNITS

BACKGROUND:

- A. The Board of Directors of the Sacramento Metropolitan Air Quality Management District (Board) is authorized by Sections 40001, 40702, and 41010 of the California Health and Safety Code (HSC) and Sections 110, 172, and 182 of the federal Clean Air Act (CAA) and related statutory and regulatory requirements to adopt, amend or repeal rules and regulations (HSC Section 40727(b)(2)).
- B. The Board has determined that a need exists to adopt Rule 419 to satisfy Reasonably Available Control Technology requirements for major stationary sources of NO_x as required by CAA Sections 182(b)(2) and 182(f) (HSC Section 40727(b)(1)).
- C. The Board has determined that the meaning of Rule 419 can be easily understood by the persons affected by it (HSC 40727(b)(3)).
- D. The Board has determined that Rule 419 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations (HSC Section 40727(b)(4)).
- E. The Board has determined that Rule 419 does not duplicate any existing state or federal regulations (HSC Section 40727(b)(5)).
- F. The Board has determined that Rule 419 implements CAA Sections 172(c)(1), 182(b)(2)(C), and 182(f)(1).
- G. The Board has considered a written analysis prepared by Staff (HSC Section 40727.2).
- H. The Board has maintained records of the rulemaking proceedings (HSC Section 40728).
- I. The Board held a duly noticed public hearing on July 26, 2018 and considered public comments on Rule 419 (HSC Sections 40725 and 40726).
- J. The Board has considered the socioeconomic impacts of the rule in Staff's Statement of Reasons (HSC Section 40728.5).
- K. The Board has determined that Rule 419 implements Reasonably Available Control Technology for NO_x emissions from miscellaneous combustion units at major stationary sources of NO_x.
- L. The Board evaluated Rule 419 to determine whether it is exempt from the California Environmental Quality Act (CEQA) under Section 15038 of the State CEQA Guidelines, as an action by a regulatory agency for the protection of the environment and under Section 15061(b)(3) of the State CEQA Guidelines, as an action for which it can be seen with certainty that there is no possibility the action may have a significant adverse effect on the environment.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE BOARD OF DIRECTORS RESOLVES AS FOLLOWS:

- Section 1. The adoption of Rule 419 is exempt from CEQA.
- Section 2. Approves and adopts Rule 419 – NOx FROM MISCELLANEOUS COMBUSTION UNITS shown in the attached Exhibit A.
- Section 3. Rule 419 (set forth in Exhibit A) is effective as of July 26, 2018.
- Section 4. Directs Staff to forward Rule 419 and all necessary supporting documents to the California Air Resources Board for submittal to EPA as a revision to the California State Implementation Plan.
- Section 5. Exhibit A is attached to and incorporated into this Resolution.

ON A MOTION by Director _____, seconded by Director _____, the foregoing resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Air Quality Management District on July 26, 2018, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

Clerk, Board of Directors
Sacramento Metropolitan Air Quality Management District